IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Crl.Rev.Pet.No. 876 of 2007

CRA.151/2003 of ADDL.SESSIONS COURT-II, KOZHIKODE
CC.478/1999 of JUDL. MAGISTRATE OF FIRST CLASS-V, KOZHIKODE

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REVN. PETITIONER: APPELLANT/ACCUSED NO.3

A.T.NOUFAL, S/O.MUHAMMED KOYA,
RAHIYANATH VEEDU, KUTTIYIL PADAM,
ARAKKINAR, BEYPORE, KOZHIKODE DISTRICT.

BY ADV. SRI.P.SANJAY
SRI.M.MUHAMMED SHAFI

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA, REPD. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR MR. BREEZE M.S.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.876 of 2007

DATED THIS THE 27TH DAY OF FEBRUARY 2007

ORDER

The revision petitioner stands convicted for the offence under Section 379 read with Section 34 of the Indian Penal Code and sentenced to undergo simple imprisonment for one year. The prosecution allegation is that on 27-3-1999, in furtherance of the common intention of all the accused, A1 snatched away the gold chain weighing about two sovereigns belongs to CW1, a lady, who was walking through the lane situated near Brains College, Areekkad. The accused was chased with the lady and the local people and were caught. The first accused is absconding, 2nd and 3rd accused were tried and convicted.

There is direct evidence as to the incident that consisted of the testimony of PW1, the lady from whom the gold chain was snatched in day light and PW4, another witness to the incident. Ext.P2 scene mahazar and Ext.P1(a) seizure mahazar were proved by independent witnesses. I find that the courts below

have concurrently found that the accused is guilty of the offence and that the same is proved beyond reasonable doubt. In the circumstances, I find no reason to interfere in the findings of the courts below. The revision petition is dismissed in limine.

K.R.UDAYABHANU, JUDGE

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